

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

NO. 5:09-CT-3029-FL

FILED

JUN 11 2010

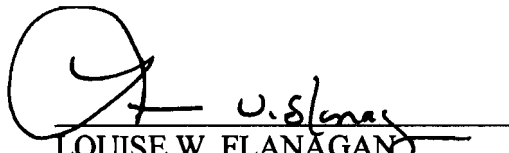
DENNIS P. JAVARONE, CLERK
US DISTRICT COURT, EDNC
BY _____ DEP CLK

GERALD YOUNG MONTGOMERY,)
)
Plaintiff,)
)
v.)
)
THEODIS BECK, et al.)
)
Defendants.)

ORDER

Plaintiff Gerald Young Montgomery filed this civil rights action pursuant to 42 U.S.C. § 1983 on February 9, 2009. On April 15, 2010, the court ordered plaintiff to show cause why this action should not be dismissed for failure to prosecute after it appeared he was released from incarceration and had provided no return address. Plaintiff was given ten (10) days to provide the court with the requested information and was warned that if he failed to timely respond, an order of dismissal would issue. The time period provided has lapsed without response, and the action, therefore, is DISMISSED without prejudice. All pending motions are DENIED as moot.

SO ORDERED, this the 10th day of June, 2010.


LOUISE W. FLANAGAN
Chief United States District Judge